

REMARKS

Claims 1-20 are pending in the instant application. The Examiner has rejected claims 1-20 under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 4,829,445 issued to Burney. The Applicants traverse the outstanding rejections and submit that claims 1-20 are in condition for allowance.

Claim Rejections under 35 USC § 102

The Applicants submit that claims 1-20 are not anticipated by Burney. With respect to claims 1, 11, and 17, the Examiner states that Burney discloses each of the elements recited therein. The Applicants respectfully traverse the outstanding rejections of claims 1, 11, and 17 because Burney does not teach or suggest each and every element recited in claims 1, 11, and 17, *as arranged in the claims*, as suggested by the Examiner. In particular, Burney neither teaches nor discloses "*identifying a materials candidate to purge from a production line in response to: said trigger event; production data captured relating to said materials candidate; and user-defined criteria for purging materials from said production line.*" Rather, the portions of Burney relied upon by the Examiner makes reference to distributed routing units located at network intersections that control "the actions of associated network sub-system and implements the communications required to transport material between process machines" (col. 4, lines 57-60). Burney is devoid of teaching identifying materials candidate to purge from a production line in response to a trigger event, production data captured relating to the materials candidate, and user-defined criteria for purging materials

from the production line. The Examiner appears to suggest that Burney teaches a user-defined trigger event, citing the Segments-in-Process (SIP) routed under guidance of a host computer system (see page 4, item 6 of the Office Action). The Applicants submit that the Examiner has misinterpreted the teachings of Burney with respect to a trigger event. The teachings of Burney indicate that the SIPs are simply routed through the a material handling system, guided by a host system, and given tasks such that the SIP is routed through the defined sequence to its destination. The Applicants fail to appreciate how this automated routing system relates to the triggering event and activities occurring in response thereto, as recited in Applicants claims 1, 11, and 17. In fact, Burney is entirely devoid of teaching a triggering event, much less identifying a materials candidate to purge from a production line in response to the trigger event, product data captured, and user-defined criteria. Accordingly, the Applicants submit that claims 1, 11, and 17 are not anticipated by Burney and are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Claims 2-10 depend from what should be an allowable claim 1. Claims 12-16 depend from what should be an allowable claim 11, and claims 18-20 depend from what should now be an allowable claim 17. For at least these reasons, the Applicants submit that claims 2-10, 12-16, and 18-20 are in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 09-0458.

Respectfully submitted,

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